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BA 4/4/03

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/683,842
		Filing Date	02/21/2002
		First Named Inventor	Tzu-Li Tsai
		Group Art Unit	2615
		Examiner Name	
Total Number of Pages in This Submission	28	Attorney Docket Number	ACIP0008USA

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks _____	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	WINSTON HSU
Signature	
Date	3/16/2003

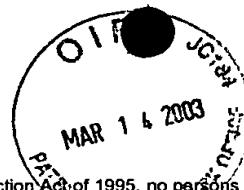
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$0.00)
Complete if Known

Application Number	09/683,842
Filing Date	02/21/2002
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Art Unit	2615
Attorney Docket No.	ACIP0008USA

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METHOD OF PAYMENT (check all that apply)
 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	50-0801
Deposit Account Name	North America International Patent Office

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
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 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$0.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	20**	=	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Independent Claims	3**	=	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Multiple Dependent			<input type="text"/>		<input type="text"/>		<input type="text"/>

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$0.00)	

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0.00)

(Complete if applicable)

SUBMITTED BY			
Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526
Signature	<i>Winston Hsu</i>		
	Date	2/16/2003	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/08A (10-01)

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number Filing Date First Named Inventor Art Unit Examiner Name	091683,842 02/21/2002 TZU-VI Tsai 2615
Sheet		of	Attorney Docket Number
		ACI P0008 USA	

U.S. PATENT DOCUMENTS

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GROUP 3600

FOREIGN PATENT DOCUMENTS

Examiner Signature	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

conformance and not considered. Include copy of this form with next communication to applicant.
1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

English language translation is attached.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 Applicant: Tzu-Li Tsai,
 Yen-Ching Chen,
 Szu-Hsiung Ko,
Filing Date: 02/21/2002
Serial No.: 09/683,842

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MAR 19 2003
Art Unit: 2615
Docket No.: ACI008USA

GROUP 3600

10 Title: Updating System For Digital Players And Method of Using The Same

To: The Commissioner of Patents and Trademarks
 Washington, D.C. 20231

15 Subject: Information disclosure statement Under
 37C.F.R. §1.56

Dear Sir:

20 This is an Information Disclosure Statement in
accordance with the duty to disclose information
material to patentability under 37 C.F.R. §1.56.
Applicants wish to make of record the document listed
on the accompanying form PTO/SB/08A. It is respectfully
25 requested that the Examiner initial the cited reference
on the form and that it be made of record in the
application and that a copy of the initialed form be
sent to Applicants with the next communication from
the Examiner.

30

Since the IDS is filed before the mailing date of
a first Office action on the merits, a petition to request
consideration of the information disclosure statement
is hereby requested according to 37C.F.R. §1.97(b). The
35 prior art patent contained in the information

disclosure statement was cited in communications from the Taiwan Intellectual Property Office on Nov. 28, 2002 for a counterpart foreign application. Since this IDS is being submitted within three months of the date 5 in which this prior art patent was first cited, the applicant sincerely hopes that the examiner can consider the item contained in the information disclosure statement.

10 According to the requirement set forth in 37 C.F.R. §1.98 and M.P.E.P. 609 (August 2001), the applicant is submitting a copy of the cited reference (Taiwan Patent No. 412725, "OPTICAL DISK DRIVE") and a concise explanation of the relevance in this 15 application hereinafter.

Fig.1 of Taiwan Patent No. 412725 appear to be the most relevant drawings, and show a block diagram of an optical disc drive. The purpose of the prior art 20 is used to solve the problem of power failure during an updating process of an optical disc drive. In the prior art reference, the optical disc drive comprises a system controller 1, which is electrically connected to a personal computer through the interface 28, and 25 a flash memory 22 recorded with programs for controlling the operation of the system controller 1.

The flash memory 22 is divided to two parts, which are a protected area and an unprotected area. The 30 protected area is read only and recorded with programs that can provide a basic updating function, and the unprotected area stores programs which can be updated.

Therefore, if any error happens due to some unexpected situation, such as power failure, during the updating process, the optical disc drive can resume the updating process according to the programs recorded in the 5 protected area and work successfully thereby. It is noted that the prior art invention can only performs the updating process under a control of the personal computer which is connected to interface 28.

10 Claim 1 of the present application is repeated below for reference:

15 "1. An updating system for a digital player comprising:
a primary module comprising a first memory module
for storing software; and
a secondary module comprising a second memory
module and said primary module;
wherein an updating instruction is sent from said
primary module to said secondary module to activate
20 a predetermined program for updating said second memory
module by means of said software stored in said first
memory module."

25 Claim 1 of the present application shows that the primary module in the present invention can work independent of other devices, such as a personal computer, though it can also be assisted with other devices. Therefore, the structure of the digital player and the method of the updating method thereof in the 30 present application are apparently different from the optical disc drive and the updating method thereof revealed in the cited prior art.

It is therefore believed that claim 1 of the present application is substantially different from the prior art patent TP No. 412725. The independent claims 10, 5 19, and 27 also show the differences/nonobviousness clearly in the same manner. Since all other claims are dependent on claims 1, 10, 19 and 27, they are believed to be substantially different from the prior art patent TP No. 412725 as well.

10

Sincerely yours,

15

Winston Hsu

Date: 3/6/2003

Winston Hsu, Patent Agent No. 41,526

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20 U.S.A.

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